

### REMARKS

Claims 1-12 remain pending in the application. Claims 2-4 have been withdrawn from consideration, and claims 13-32 are canceled. Claims 1, 5, 6, 7, 8 and 9 stand rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Hedge et al (US 6,717,226) in view of Gardner et al (US 6,020,260). Claims 1, 5-7, 8-9, and 11-12 stand rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Paton et al (US 6,682,973) in view of Gardner et al (US 6,020,260). Claim 20 stands rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Paton et al (US 6,682,973) in view of Gardner et al (US 6,020,260) further in view of Yu et al (US 6,573,193). For at least the reasons set forth below, Applicant requests reconsideration and withdrawal of the rejections.

#### Claim 1

Claim 1 recites a step of "forming a silicon-containing electrode layer over the metal oxide layer in a nitrogen containing ambient". The Office Action states that Hedge et al. and Paton et al. do not explicitly teach that the polysilicon electrode is formed in a nitrogen containing ambient. Gardner, however, allegedly teaches that a polysilicon electrode is formed in a nitrogen containing ambient (see col. 2 lines 34-41).

Applicant respectfully submits that Gardner, instead, discloses "the lower polysilicon layer is formed by depositing a layer of polysilicon in an amorphous state and *annealing the amorphous polysilicon layer* in a nitrogen bearing ambient (emphasis added). More specifically, an *amorphous polysilicon layer* is deposited first. The *amorphous polysilicon layer* is annealed in a nitrogen bearing ambient subsequently. The annealing procedure disclosed by Gardner is a post heat treatment after the amorphous polysilicon layer is formed. Significantly, Gardner fails

to teach or suggest the step of forming a silicon-containing electrode layer over the metal oxide layer in a nitrogen containing ambient explicitly.

It is therefore respectfully submitted that neither Hedge et al. nor Paton et al. nor Gardner et al., singly or combined, teach or suggest a step of forming a silicon-containing electrode layer over the metal oxide layer in a nitrogen containing ambient

It is therefore submitted that claim 1 patently defines over the cited art. As claims 2-12 depend from claim 1, claims 2-12 are patentable by virtue of its dependency from patentable claim 1.

For all of these reasons, Applicant submits that this application is now in condition for allowance. Prompt issuance of a Notice of Allowance is earnestly solicited.

### **CONCLUSION**

For at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

No fee is believed to be due in connection with this amendment and response to Office Action. If, however, any fee is believed to be due, you are hereby authorized to charge any such fee to deposit account No. 20-0778.

Respectfully submitted,

  
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